

MINUTES

November 10, 2009

The State Board of Registration for Professional Engineers and Land Surveyors met on November 10, 2009, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT

Elmo A. Richardson, Jr., PE/LS Chairman
Guy F. Ritter, PE Vice-Chairman
Danny Bennett - PE
James W. Butler, LS
Stephen R. Richards, PE
Lanny Thomas- PE
Mark E. Chastain, LS
E. Scott Evans, Public Member

BOARD MEMBERS ABSENT

William W. Dean PE

STAFF PRESENT

J. Darren Mickler – Board Executive Director
Julie Busbee – Licensing Supervisor
Charlotte Mason – Board Support Specialist
Annette Wimberly – Complaint and Compliance Analyst

GUEST

Hardwick Butler, SAMSOG
John Hutton, SEAOG
Adam Ray, SEAOG
Mike Fletcher, SEAOG
George Fletcher, SEAOG

ATTORNEY GENERAL REPRESENTATIVE

Amelia Baker, Senior Assistant Attorney General

1.0 Call to order

At 9:35am, Chairman Richardson called the meeting to order.

2.0 Adopt Agenda

Chairman Richardson asked for any additions or deletions to the proposed agenda. Mr. Chastain moved to adopt the agenda as edited. Mr. Ritter seconded. The motion carried unanimously.

6.3 Land Surveying Experience

3.0 Approval of Minutes

Chairman Richardson presented a draft of the October 06, 2009 minutes and asked for any additions or deletions. Mr. Ritter moved to adopt the minutes. Mr. Thomas seconded. The motion carried unanimously.

4.0 Professional Societies and Guests

Chairman Richardson recognized the guests of the Board: Hardwick Butler representing SAMSOG and the following representatives of SEAOG -John Hutton, President; Adam Ray; Mike Fletcher and George Keller.

5.0 Executive Director's Report

Mr. Mickler reported on the following items:

- Changes in administering the Land Surveyors' Examination.

6.0 Old Business

6.1 Structural Board Policies

Mr. Ritter presented proposed amendments to the Board regarding the practice of Structural Engineering. After much discussion, Mr. Chastain moved to support the concept of the statute change and to proceed with a rule change to reflect the change in the examination. Mr. Ritter seconded. The motion carried unanimously.

6.2 Discussion of Board Policy Regarding Supervision

The discussion of a Board Policy regarding supervision will be continued to the next Board meeting.

6.3 Land Surveying Experience

Mr. Chastain and Mr. Butler have had some discussion regarding the additional experience requirement for Land Surveying. Mr. Chastain and Mr. Butler will propose a rule change to clarify the additional experience requirement and will present the proposal at the next Board meeting.

7.0 New Business

7.1 Discussion of proposed changes to §43-15-29 and §12-9-7

Mr. Richardson presented a proposal to §43-15-29: Exceptions to operation of Chapter and §12-9-7: Permit required; application; issuance; revocation, suspension, or amendment. After much discussion, Mr. Chastain moved to oppose changes to § 43-15-29 and support changes to §12-9-7 as presented. Mr. Evans seconded. The motion carried unanimously.

7.2 Resolution of Support

Mr. Richardson presented a proposed Resolution of Administrative Support to the Board. After much discussion, the Board deferred item until the next Board meeting.

7.3 Discussion regarding Cynergy

Mr. Ritter presented a written correspondence from Bill Jordan, Chairman of the Registration Coalition regarding the Collapse of the Cyntergy Parking Deck. Due to lack of information, the Board table discussion until the next Board meeting.

7.4 Open Records request

Mr. Mickler presented written correspondence regarding a request to release information regarding a licensee. Per O.C.G.A. 43-1-2(k) personal information from licensees should be treated as confidential information. Mr. Evans motioned to deny the request. Mr. Ritter seconded. The motion carried unanimously.

7.5 Utility Mapping

Discussion on Utility Mapping was moved to Executive Session as it related to a complaint.

8.0 Executive Session

At 11:20am, Mr. Ritter made a motion to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to deliberate on applications and investigative matters and to receive an investigative report. Mr. Richards seconded the motion. Voting in favor of the motion were those members present who included Board Members Butler, Bennett, Chastain, Evans, Richards, Richardson, Ritter and Thomas.

9.0 Open Session

The Board reconvened at 12:22am with the following Board members present – Chairman Richardson, Butler, Bennett, Dean, Richards, Ritter and Thomas.

9.1 Investigations and Complaints

Mr. Chastain moved to accept the following recommendations regarding investigative cases:

W. Gray Hodges, Evansville, IN - The Board made a recommendation to accept the Consent Order with 24 months probation upon receipt of the original.

PELS060064- The Board made a recommendation to close case.

PELS060072- The Board made a recommendation to table until the next Board meeting.

PELS080071- The Board made a recommendation to deny to request to amend Consent Order agreement.

PEF003055- The Board made a recommendation to terminate probation and return license to active status.

PELS100020- The Board made a recommendation to close case.

PELS100018- This case involves allegations of unlicensed practice as a Professional Engineer. The Board made a recommendation to refer this case to legal services for a Consent Order assessing a \$500.00 fine and a public reprimand.

PELS100007- The Board made a recommendation to close case.

PELS100009- Due to criminal convictions, the Board made a recommendation to refer to legal services for a Consent Agreement placing the license on probation concurrent with the criminal probation.

PELS080078- The Board made a recommendation to close case.

PELS090017- The Board made a recommendation to close case.

PELS080001- The Board made a recommendation to close case.

PELS080002- The Board made a recommendation to close case.

PELS080038- The Board made a recommendation to close case.

PELS080098- The Board made a recommendation to close case.

PELS0900003- The Board made a recommendation to refer to investigations.

PELS100008- The Board made a recommendation to refer to investigations.

PELS100005- The Board made a recommendation to refer to investigations.

PELS080007-This case involves allegations of practicing as a Land Surveyor. Mr. Butler made a recommendation to accept the Cease and Desist Order upon receipt of the original. Mr. Ritter seconded. Motion passed 7-1 with Mr. Chastain voting against.

Mr. Richards seconded. The motion carried unanimously.

9.2 Reinstatements

Mr. Richardson moved to reinstate the following licenses with a fee \$1000.00:

- Randolph Ayers, PE024912
- Donald Hunley, PE020911
- Johnny Sims, PE026366

Mr. Evans seconded. The motion carried unanimously.

Mr. Richards moved to reinstate the following upon passing Examination:

- Steve Williams, PE026366

Mr. Thomas seconded. The motion carried unanimously.

9.3 Board Memo Comity Model Law Applicants

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

PE034449	Loser, Matthew W.
PE034450	McCall, Shannon K.
PE034451	Kincart, Robert J.
PE034452	Smolinski, Robert J.
PE034453	Pierce J. Eric
PE034454	Small, Christopher H.
PE034455	Montgomery, Rodney J.
PE034456	McMath Joseph Leroy III
PE034457	Yson, Karl W.
PE034458	Ingle, Stephen
PE034459	Richards, John D.
PE034460	Wilson, Mark T.
PE034461	Thompson, Brian C.
PE034462	Hamm, Craig F.
PE034463	McCullough, Paul
PE034464	Campagne, Lorraine
PE034465	Warnock, Mark
PE034466	Grover, Jason Glen
PE034467	Karch, Christopher C.
PE034468	Clem, David James
PE034469	Bobby, Paul E.
PE034470	Gnuse, Robert S.
PE034472	Curtis, Bryan Joseph
PE034473	Eberly, Austin J.
PE034474	Swahn, Michael J.
PE034475	Shanahan, Timothy A.
PE034476	Pruett, Robert A.
PE034477	Kowkabany, Stephen Fred
PE034478	Fowler, Joseph R. IV
PE034479	Vandegrift, Dennis Sr.
PE034480	Kirby, Shane
PE034481	Brissett, Lorin R.
PE034482	Weaver, Robert L.
PE034483	Schripsema, Craig D.
PE034484	Johnson, Bernard

PE034486	Sampson, Justin S.
PE034487	Williams, Keith
PE034488	McCluskey, Jeffrey David
PE034489	Litsinger, Russ R.
PE034490	Johnson, Gary
PE034491	Beard, Daniel
PE034492	Sussman, Michael A.
PE034493	Mahaffey, Stephen L.
PE034494	Alao, Victor
PE034495	Nehrke, Seth Marshal
PE034499	Stone, Garland Lee Jr.
PE034500	Voci, Eugene K.
PE034501	Clark, John Alexander
PE034502	Selomridge, Todd L.
PE034503	Turner, Kristen C.
PE034504	Fudo, Jeremy S.
PE034505	Fairchild, Mark
PE034506	Bosch, Thomas E.
PE034507	Watson, David J.

Motion was made by Mr. Richard to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(h). The motion was seconded by Mr. Bennet. The motion carried unanimously.

Board Memo Applications for Registration as a Professional Engineer by Exam Model Law

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, and who comply in every way with the provisions of the appropriate law are as follows:

Baniassad, Kian – Mechanical	Beyene, Malatu K. – Civil	Boles, Craig N. – Structural
Buchanan, John Mark – Civil	Calvi, Aldo – Mechanical	Cawthon, Andrew Ryan-Mechanical
Cheng, Joey – Environmental	Jimenez, Taylor G. – Mechanical	Johnson, Edwin Jay – Mechanical
Kinsman, Nicholas – Structural	Lester IV, Charles G. – Mechanical	Mackert, Jerod – Mechanical
Millard, Marcus J. – Structural	Moss, William T. – Civil	Olivia, Julio Cesar – Mechanical
Rathburn, Randy – Civil	Suarez Soto, Rene – Environmental	

Presented to the Board this 10th day of November, 2009.

Action of the Board: Motion was made by Evans to approve these applicants for PE registration by exam @ 43-15-9(1). The motion was seconded by Richards. The motion carried.

Board Memo for Regular Applicants seeking certification as an Engineer-in-Training by Exam

Applicants for certification as an Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Cox, Billy Jeffery
Hur, Youn

Dahir, Mark
Moore, John

Fiawoyife, Jeremy
Olson, Leslie

Presented to the Board this 10th day of November 2009.

ACTION OF THE BOARD: Motion was made by Mr. Thomas to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Scott. The motion carried unanimously.

There being no further business, at 12:29 p.m., Chairman Richardson, PE/LS, requested a motion to adjourn. Mr. Ritter moved to adjourn. Mr. Bennett seconded. The motion carried unanimously. Some Board members remained to review applications until they were finished.

Recorded By Board Secretary

Executive Director

Board Chairman

These minutes were approved at the December 08, 2009 meetings.